

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SCOTT WINLAND,

Petitioner,

v.

CASE NO. 2:08-cv-00832
JUDGE SARGUS
MAGISTRATE JUDGE ABEL

WARDEN, LICKING COUNTY
JUSTICE CENTER,

Respondent.


OPINION AND ORDER

On April 21, 2010, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed. Petitioner has filed objections to the Magistrate Judge's *Report and Recommendation*.

Petitioner objects to all of the Magistrate Judge's recommendations. He again raises all of the same arguments he previously presented. Specifically, petitioner objects to the Magistrate Judge's recommendation that his claims is procedurally defaulted. He contends that he fairly presented his claims to the state courts and that the ineffective assistance of counsel constitutes cause for his procedural defaults. *See Objections*.

Pursuant to 28 U.S.C. §636(b), this Court has conducted a *de novo* review. This Court has carefully reviewed the entire record. For the reasons detailed in the Magistrate Judge's *Report and Recommendation*, petitioner's arguments are not persuasive. Petitioner's objections are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

 5-18-2010

EDMUND A. SARGUS, JR.
United States District Judge